

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TREVOR FORTENBERRY,

Plaintiff,

v.

UNKNOWN ACKER,

Defendant.

Case No. 1:20-cv-1202

HON. JANE M. BECKERING

ORDER

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant filed a Motion for summary judgment on the basis of exhaustion (ECF No. 13). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on June 13, 2022, recommending that this Court grant the motion as to the “retaliatory ticket” claims based upon the July 19, 2020 and August 5, 2020 misconduct tickets, and dismiss Plaintiff’s official capacity claim against Defendant and Plaintiff’s request for an injunction. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 22) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for summary judgment on the basis of exhaustion (ECF No. 13) is GRANTED as to the “retaliatory ticket” claims based upon the July 19, 2020 and August 5, 2020 misconduct tickets.

IT IS FURTHER ORDERED that Plaintiff's official capacity claim against Defendant and Plaintiff's request for an injunction are DISMISSED.

Dated: July 14, 2022

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge